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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/810,808	03/29/2004	Darrell Gordon Ball	ALC 3122	9760
7590 07/27/2005 KRAMER & AMADO, P.C. 1725 Duke Street, Suite 240 Alexandria, VA 22314			EXAMINER AUDUONG, GENE NGHIA	
			ART UNIT 2827	PAPER NUMBER

DATE MAILED: 07/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/810,808

Applicant(s)

BALL ET AL.

Examiner

Gene N. Auduong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-15 are rejected under 35 U.S.C. 102(e) as being anticipated by Terzioglu et al. (U.S. Pat. No 6,714,467).

Regarding claim 1, Terzioglu et al. disclose a redundant memory device [architecture] comprising an active memory supporting in-service storage operations (figure 33, active cell array 3410 for storing the active charge) and an inactive memory that is synchronized with stored contents of the active memory (figure 33, redundant block, inactive block), wherein stored contents of the inactive memory are defragmented prior to an activity switch which results thenceforth in the inactive memory assuming the in-service storage operations and in the active memory being updated with the stored contents of the inactive memory, the redundant memory architecture further comprising a data structure to maintain correspondence between the respective stored contents of the active memory and the inactive memory (col. 30, lines 45+).

Regarding claims 2 and 3-5, Terzioglu et al. disclose the redundant memory architecture as claimed in claim 1, wherein the contents of the inactive memory are defragmented at intervals, wherein the contents of the inactive memory are defragmented at periodic intervals or at intervals based upon a level of usage of the active memory (col. 30, lines 45+).

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Regarding claims 4, 12-14. Terzioglu et al. disclose the redundant memory architecture as claimed in claim 1, wherein the contents of the inactive memory are defragmented upon a predetermined measure of fragmentation of the active memory being surpassed, wherein the active memory and the inactive memory are each partitioned into memory segments, wherein the predetermined measure of fragmentation is assessed for partitioned memory segments of the active memory in the aggregate, and wherein the predetermined measure of fragmentation is assessed for partitioned memory segments of the active memory separately (col. 30, lines 45+).

Regarding claim 6-10, Terzioglu et al. disclose the redundant memory architecture as claimed in claim 1, wherein the inactive memory is synchronized with the stored contents of the active memory at intervals, and wherein the inactive memory is synchronized with the stored contents of the active memory following the stored contents of the active memory being changed (col. 30, lines 45+).

Regarding claims 11 and 15, Terzioglu et al. disclose the redundant memory architecture as claimed in claim 1, wherein the active memory and the inactive memory are each partitioned into memory segments, wherein the memory segments of the inactive memory may be adjusted as to their size allocation following the contents of the inactive memory being defragmented as aforesaid (in block or array; col. 30, lines 45+).

### *Conclusion*

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gene N. Auduong whose telephone number is (571) 272-1773. The examiner can normally be reached on 9-5-4, alternate second Monday Off.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hoai Ho can be reached on (571) 272-1777. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

GA  
July 12, 2005



Gene N Auduong  
Primary Examiner  
Art Unit 2827